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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 MARK FULLENKAMP, derivatively on  
9 behalf of ALLEGIANT TRAVEL CO.,

10 Plaintiff(s),

11 vs.

12 MAURICE J. GALLAGHER, JR., et al.

13 Defendant(s).

14 Case # 2:18-cv-01864

15  
16 **VERIFIED PETITION FOR  
PERMISSION TO PRACTICE  
IN THIS CASE ONLY BY  
ATTORNEY NOT ADMITTED  
TO THE BAR OF THIS COURT  
AND DESIGNATION OF  
LOCAL COUNSEL**

17  
18 FILING FEE IS \$250.00

19  
20 David J. Stone \_\_\_\_\_, Petitioner, respectfully represents to the Court:  
(name of petitioner)

21 1. That Petitioner is an attorney at law and a member of the law firm of

22 \_\_\_\_\_  
(firm name)

23 with offices at \_\_\_\_\_  
885 Third Avenue, Ste. 3040 \_\_\_\_\_,  
(street address)

24 \_\_\_\_\_  
New York \_\_\_\_\_, New York \_\_\_\_\_, 10022 \_\_\_\_\_,  
(city) (state) (zip code)

25 \_\_\_\_\_  
(212) 308-1704 *5858* \_\_\_\_\_, stone@bespc.com \_\_\_\_\_.  
(area code + telephone number) (Email address)

26 2. That Petitioner has been retained personally or as a member of the law firm by  
Plaintiff Mark Fullenkamp \_\_\_\_\_ to provide legal representation in connection with  
[client(s)]

27 the above-entitled case now pending before this Court.

7       4. That Petitioner was admitted to practice before the following United States District  
8 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts  
9 of other States on the dates indicated for each, and that Petitioner is presently a member in good  
10 standing of the bars of said Courts.

11	Court	Date Admitted	Bar Number
12	Please see attached.		
13			
14			
15			
16			
17			
18			

19       5. That there are or have been no disciplinary proceedings instituted against petitioner,  
20       nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory  
21       or administrative body, or any resignation or termination in order to avoid disciplinary or  
22       disbarment proceedings, except as described in detail below:

23 None.  
24  
25  
26

1           6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give  
2           particulars if ever denied admission):

None.

6           7. That Petitioner is a member of good standing in the following Bar Associations.

None.

10 8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2  
11 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

12	Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
13				

14 None.  
15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_

(If necessary, please attach a statement of additional applications)

20        9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the  
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same  
22 extent as a member of the State Bar of Nevada.

23           10. Petitioner agrees to comply with the standards of professional conduct required of  
24 the members of the bar of this court.

25        11. Petitioner has disclosed in writing to the client that the applicant is not admitted to  
26 practice in this jurisdiction and that the client has consented to such representation.

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court  
2 FOR THE PURPOSES OF THIS CASE ONLY.

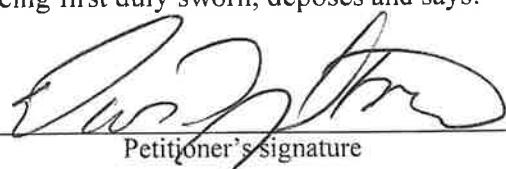


Petitioner's signature

3  
4 STATE OF New York )  
5 COUNTY OF New York )  
6

7 David J. Stone, Petitioner, being first duly sworn, deposes and says:

8 That the foregoing statements are true.



Petitioner's signature

9  
10 Subscribed and sworn to before me this

11 6 day of November, 2018

JOHN BRANDON WALKER  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02WA6369031  
Qualified in New York County  
My Commission Expires 02-20-2022

12  
13 Notary Public or Clerk of Court

14  
15  
16 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO  
THE BAR OF THIS COURT AND CONSENT THERETO.**

17 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner  
18 believes it to be in the best interests of the client(s) to designate Martin A. Muckleroy,  
19 (name of local counsel)  
20 Attorney at Law, member of the State of Nevada and previously admitted to practice before the  
21 above-entitled Court as associate resident counsel in this action. The address and email address of  
22 said designated Nevada counsel is:

23 6077 S. Fort Apache, Ste. 140,  
24 (street address)

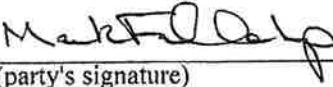
25 Las Vegas, Nevada, 89148,  
(city) (state) (zip code)

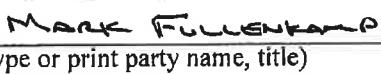
26 (702) 907-0097, martin@muckleroylunt.com.  
(area code + telephone number) (Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes  
2 agreement and authorization for the designated resident admitted counsel to sign stipulations  
3 binding on all of us.

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

7 The undersigned party(ies) appoint(s) Martin A. Muckleroy as  
8 (name of local counsel)  
his/her/their Designated Resident Nevada Counsel in this case.

9   
10 (party's signature)

11   
12 (type or print party name, title)

13 \_\_\_\_\_  
14 (party's signature)

15 \_\_\_\_\_  
16 (type or print party name, title)

17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

19   
20 Designated Resident Nevada Counsel's signature  
21 9634 martin@muckleroylunt.com  
22 Bar number Email address

23 APPROVED:

24 Dated: this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

26 UNITED STATES DISTRICT JUDGE

**David J. Stone:**

Court	Date Admitted	Registration Number
State of New York	3/6/1995	2672889
State of California	12/1/2000	208961
US District Court, CA Northern	7/20/2001	208961
US District Court, CA Central	7/11/2017	208961
US District Court, NY Southern	6/18/1996	DS8981
US District Court, NY Eastern	1/2/2013	DS8981
US Court of Appeals, Second Circuit	12/7/2006	06-18550
US Court of Appeals, Third Circuit	8/5/2016	N/A

Appellate Division of the Supreme Court  
of the State of New York  
First Judicial Department

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I, Susanna Rojas, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

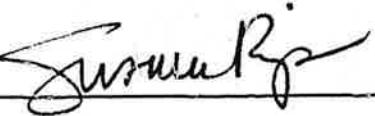
**DAVID JAY STONE**

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on March 6, 1995, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my hand and affixed the seal of this court on

**October 29, 2018**

8991

  
Clerk of the Court



# THE STATE BAR OF CALIFORNIA

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180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

## CERTIFICATE OF STANDING

October 2, 2018

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, DAVID JAY STONE, #208961 was admitted to the practice of law in this state by the Supreme Court of California on December 1, 2000; that from the date of admission to December 17, 2010, he was an ACTIVE member of the State Bar of California; that on December 17, 2010, he transferred at his request to the INACTIVE status; that from that date to July 3, 2012, he was an INACTIVE member of the State Bar of California; that effective July 3, 2012, he was suspended from the practice of law in California by order of the Supreme Court for nonpayment of State Bar membership fees; that said suspension remained in effect to July 3, 2013 upon which last mentioned date he was reinstated to the INACTIVE status by the Supreme Court upon payment of all delinquent State Bar fees and penalties; that from that date to April 19, 2017, he was an INACTIVE member of the State Bar of California; that on April 19, 2017, he transferred at his request to the ACTIVE status; that he has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A blue ink signature of the name "Denise Velasco".

Denise Velasco  
Custodian of Membership Records